REMARKS

Applicant adds claims 11-16. Claims 1-16 are now pending in the application. Applicant amends the specification for minor corrections, amends claims 1-4 for clarification, and adds claims 11-16 to round out the scope of the invention. Applicant refers to Figs. 4-5 and their corresponding description in the specification for exemplary embodiments of and support for the claimed invention. No new matter has been added.

Claims 1-10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,628,632 to Dolan. Applicant respectfully traverses the rejection.

The Examiner maintained the rejection by citing the description of base stations communicating identification information and pilot signal quality measurements with one another in Dolan as alleged disclosure of the claimed invention. Such portions still fail to disclose the claimed diversity handover features of the invention. Such portions of Dolan—col. 5, lines 45-67—only include description of base stations communicating their own respective identification information and pilot signal quality measurements to one another for initiating convention handoffs. And the handoff process steps illustrated in Figs. 4A-4B of Dolan—cited by the Examiner against the claimed inter-office interface section—only include description of such convention handoffs where a base station ceases supervision of a call when a handoff is successful, and searches for another candidate when it is not. As such, Dolan, as cited and relied upon by the Examiner, fails to disclose the diversity handover feature of forwarding/delivering a signal received via a radio channel from a terminal to a network or the particular radio base station communicating with the terminal when the particular radio base station is not a local station. Correspondingly, Dolan does not disclose the feature of delivering a composite wave of

a signal received from the terminal via the radio channel and one forwarded from a base station forming an adjacent wireless zone, where the forwarded signal is received from the terminal by the adjacent base station via the radio channel.

In other words, Dolan, as cited and relied upon by the Examiner, fails to disclose,

> "[a] radio base station apparatus comprising:
> a receiving section for receiving a signal from a terminal via a radio channel assigned to the terminal;
> an identifying section for identifying a particular radio base station which is to maintain the radio channel between the radio base station apparatus and the terminal during a process of a diversity handover for the terminal;
> a network interface section for delivering the received signal to a network when a local station is *not the particular radio base station*; and
> an inter-office interface section for delivering to the network a composite wave of the signal and a signal that is forwarded from a radio base station forming a wireless zone adjacent to a wireless zone formed by the local station, when the local station is the particular radio base station, *the forwarded signal having arrived at the radio base station from the terminal via the radio channel*," as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claim 5 dependent therefrom, is patentable over Dolan for at least the above-stated reasons. Claims 2-4 incorporate features that correspond to those of claim 1 cited above, and are, therefore, together with claims 6-8 dependent therefrom, respectively, patentable over Dolan for at least the same reasons.

With respect to claims 9-10, the cited portions of Dolan, again, merely describe a handoff from a primary base station to a secondary base station. In other words, control is maintained only by the base station communicating with the terminal. As the Examiner-cited portions of Dolan describe, the primary controller ceases supervision of a call when handoff is performed.

Such portions of Dolan, therefore, do not disclose the claimed features of a base station controller performing channel control in cooperation with a base station forming a wireless zone where a terminal can visit, and determining a particular radio base station to maintain a radio channel during a diversity handover.

In other words, Dolan, as cited and relied upon by the Examiner, does not disclose,

> "[a] base station controller comprising:
> a channel controlling section for performing a channel control over a terminal in cooperation with a radio base station forming a wireless zone where the terminal can visit, and for determining a particular radio base station *according to the channel control and all or part of configuration of the wireless zone, channel allocation, and frequency allocation*, the particular radio base station being to *maintain a radio channel assigned to the terminal* during a process of a diversity handover for the terminal; and
> a network interface section for interfacing with a network under the channel control, the network being a network in which a communication channel is to be formed between said base station controller and the terminal via the radio base station," as recited in claim 9. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 9, together with claim 10 dependent therefrom, is patentable over Dolan for at least the above-stated reasons.

Again, Dolan only includes description of convention handoffs using base station identification information and signal quality measurements. Thus, Dolan, as cited and relied upon by the Examiner, fails to disclose the claimed features of,

> "[a] radio communication method comprising the steps of:
> maintaining identification information allotted to a radio terminal for receiving data without renewing the identification information when the radio terminal moves from an area of a first radio base station to an area of a second radio base station, and transmitting data from the second radio base station by using the identification information; and

renewing the identification information when the radio terminal moves to an area of a third base station, and transmitting data from the third radio base station by using the renewed identification information," as recited in claim 11. (Emphasis added)

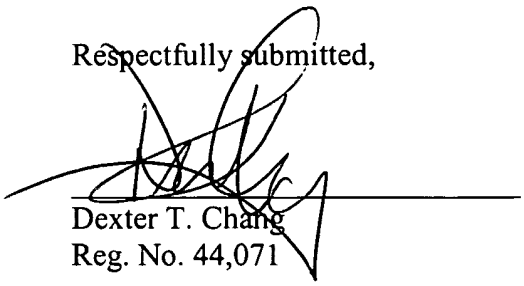
Accordingly, Applicant respectfully submits that claim 11, together with claims 12-14 dependent therefrom, is patentable over Dolan for at least the above-stated reasons. Claims 15-16 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Dolan for at least the same reasons.

The above statements on the disclosure in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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